



## **WINDSOR ACADEMY TRUST**

### **Local Advisory Boards: Terms of Reference**

#### **1 Values and Principles**

- 1.1 The Local Advisory Board (LAB) of academy, as part of Windsor Academy Trust (WAT), will at all times:
- observe the highest standards of impartiality, integrity and objectivity in relation to the governance of WAT;
  - be accountable to the Trust Board and its stakeholders and regulatory bodies for its activities;
  - engage in a partnership with the Trust's Executive Team and the Academy's Senior Leadership Team (SLT) that enables and supports high and improving standards of education in the academy;
  - act in accordance with the Trust's Governance Principles and Scheme of Delegation
  - respect the important, confidential and sensitive nature of its work.

#### **2 Powers, responsibilities and functions of the Local Advisory Board**

- 2.1 The Committee's powers and functions are those delegated to it by the Trust Board, as shown in the Trust's Scheme of Delegation. As currently determined, the LAB's responsibilities and functions include making recommendations and proposals for decisions made elsewhere.
- 2.2 In general terms, the LAB is responsible for the oversight of the performance of the academy at the local level, including:
- local scrutiny and challenge of the work of the school and the outcomes of its pupils, monitoring performance and the achievement of objectives
  - supporting the school's SLT to provide the best possible education for its pupils
  - encouraging the academy to reflect the vision, strategy, ethos and values of the Academy Trust,
  - engagement with the school's local stakeholders
  - overseeing the implementation of the Trust's policies, and contributing to the development of the Trust's policies and practices with the aim of disseminating successful practice to the benefit of all the schools in the trust
  - communicating local issues to the Trust Board as required.

#### **3 Accountability of the Local Advisory Board**

- 3.1 The LAB is accountable to the Trust Board and reflects the Board's wider accountabilities.

3.2 Through the Trust Board, the LAB is also accountable to:

- the beneficiaries of the Academy Trust (pupils at the Academy, their parents and the local community,
- the DfE, the Education Funding Agency and the Secretary of State under the terms of the Funding Agreement

## **4 The Business of the Local Advisory Board**

4.1 The Local Advisory Board is expected to scrutinise and challenge the academy's performance and standards, with the aim of identifying good practice to be shared and poor performance to be addressed.

4.2 The work of the LAB must reflect a good understanding of performance data, and knowledge of the progress and performance of pupils in the academy. It should encourage and promote collaboration between academies within the trust, and with other schools and other sectors, including employers, locally and nationally.

4.3 The work of the LAB must:

- ensure effective reporting to the Board, and to other parties as appropriate
- encourage and promote collaboration between academies within the trust, and with other schools to help ensure that best practice is identified and promoted
- involve periodic review of its policies and practice, making use of experiences and expertise outside the LAB when appropriate
- reflect the corporate nature of the LAB, meaning that the Board acts as an entity and that Advisers' roles must be exercised by them personally and may not be delegated.
- involve engagement and communication with stakeholders, including parents, staff, and employers.

4.4 In carrying out its work, the LAB will follow the Seven Principles of Public Life set out by the Committee on Standards in Public Life (referred to as "the Nolan Principles" and set out in Annex 3), and will comply with:

- the Articles of Association
- the Academies Financial Handbook
- the Principles of Governance
- these terms of reference
- the scheme of delegation
- the conflicts of interest policy
- the code of conduct for Members of LABs
- all other relevant policies of the Trust

4.5 The LAB shall have regard to the framework for inspecting schools in England under section 5 of the Education Act 2005 (as amended) issued by the Office for Standards in Education, Children's Services and Skills (Ofsted).

## **5 Delegation of powers of the LAB**

5.1 The LAB cannot delegate its powers. It can, however, make proposals to the Trust Board for changes to the Scheme of Delegation.

5.2 The LAB may establish time-limited task groups as long as these relate directly to the delegated powers of the LAB, and to these terms of reference and provide for a more efficient

and effective way of working.

## **6 Chair and Vice Chair of Local Advisory Board**

- 6.1 The Chair of the LAB is appointed by the Trust Board on an annual basis.
- 6.2 At the first meeting in each school year, the LAB shall elect a Vice Chair from among their number. An employee by the trust is not eligible for appointment as chair or for election as vice chair. Any election of the vice-chair which is contested shall be held by secret ballot.
- 6.3 The main role of the Chair is to chair meetings of the LAB. He or she also provides leadership to the LAB and acts as the main point of contact between the LAB and the Director with responsibility for LAB liaison on the Trust Board. The Chair is also expected to carry out an annual review of each Adviser's contribution to the LAB's work and performance and to ensure that each Adviser is investing in his/her own development.
- 6.4 The Chair has no special powers or rights over any other Adviser. If the Chair is to carry out certain specific functions then these must be expressly delegated to him or her by the Trust Board.
- 6.5 It is recognised that periodic changes to the chair and vice chair can be beneficial and the Board therefore expects that neither the chair nor vice chair will hold the same role for more than 6 years.
- 6.6 The Trust Board will develop succession plans and invest in the development of Advisers to prepare them for the role of Chair and Vice Chair.
- 6.7 The Trust Board may remove from office the Chair or Vice-Chair, or any appointed Advisers.

## **7 Meetings of the LAB**

- 7.1 There will be a minimum of 3 meetings of the LAB each academic year. Meetings will take place at times set by the LAB, within the parameters set down by the Trust Board, to enable timely communication and coordination.
- 7.2 In determining the agenda for LAB meetings the LAB will have regard to decisions made by the Trust Board, and the requirement on the LAB to adhere to the schedules and timescales set by the Trust Board in the Trust's annual plan. This will enable the Trust Board to comply with the Funding Agreement and the current version of the Academies Financial Handbook (or successor documents) and ensure that the LAB is able to make full contributions to the development of the work and policies of the Trust.
- 7.3 Dates for meetings should be advised to members of the LAB as far ahead as possible, and more than 7 days before a proposed meeting. Agendas should be issued at least 7 days before the meeting date, accompanied by relevant documentation to support effective contributions and working at meetings.
- 7.4 The LAB should have a clerk to take appropriate minutes of the meetings. These minutes should be a succinct summary of discussions and decisions and not a verbatim record.

## **8 Risk Management**

- 8.1 The Trust's statements of recommended practice ("the SORP") set out requirements for reporting on the risks to a charity, and the Trust Board will wish to ensure that risks are identified, and managed and mitigated as appropriate.

8.2 The LAB must therefore be alert to potential risks and advise the Trust Board of major risks that apply to the Academy, with advice on how these may be mitigated.

## **9 The Management of Conflicts of Interest**

9.1 The LAB must at all times act in the best interests of the Academy and of the Academy Trust as a whole.

9.2 The Trust's Articles of Association require members of LABs to declare their interests annually, and update the declaration as required. And, in the case of any conflict of interest, a LAB member must:

- declare the nature and extent of any interest in any matter relating to the Academy or Academy Trust; and
- avoid any conflict of interest between that interest and the interests of the Academy Trust.

9.3 Further details are set out in the Trust's Conflicts of Interest Policy.

## **10 Membership of the Local Advisory Board**

10.1 The LAB will have up to 10 members, and a minimum of 5. It is essential that the LAB has an appropriate mix of skills, experience and perspectives. Members of the LAB are appointed by the Trust Board for a period of 4 years.

10.2 As required by the Trust's Articles of Association, two members of the LAB will be parents. Parents of pupils at the Academy will be invited to express an interest in joining the LAB and shortlisted applicants will be interviewed to identify the best match to the current needs of the Board. Parent members of the LAB will serve for a period of four years and may express an interest in serving a further term if they wish. In this case, they will be considered by the Board along with any other parent(s) expressing an interest.

10.3 Parent members of the LAB are encouraged to bring the perspective of a parent to the work of the Board, but must appreciate that they are appointed in a personal capacity and not as a representative of the parent body.

10.4 In appointing a parent member of an LAB, the Board shall appoint a person who is the parent of a registered pupil at the Academy at the time when he or she is appointed or, where it is not reasonably practical to do so, a person who is the parent of a child of compulsory school age.

10.5 One of the members of the LAB will be the Headteacher of the academy, and a further member of the LAB will be a staff member, elected by the staff at the academy for a term of four years.

10.6 The remaining members of the Local Advisory Board will be appointed by the Trust Board, which will ensure that new LAB members understand the responsibility he / she is taking on and consent to act as a LAB member. The Trust Board will aim to ensure that the LAB includes the range of skills, experience and attributes necessary for its work.

10.7 The Articles of Association make the Trust Board responsible for ensuring that members of the LAB are not disqualified from taking this role. Those disqualified from becoming members of Local Advisory Boards include those:

- who are disqualified as a company director or charity trustee
- who are aged under 18 at the date of his/her election or appointment

- who are current pupils of any of the Academies in the trust
- who are incapable by reason of mental disorder, illness or injury of managing or administering his or her own affairs.
- who are absent without the permission of the LABs from all their meetings held within a period of six months and the Trust Board resolves that his office be vacated.
- Whose estate has been sequestrated and the sequestration has not been discharged, annulled or reduced; or is the subject of a bankruptcy restrictions order or an interim order.
- subject to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order).
- convicted of any criminal offence, excluding any that have been spent under the Rehabilitation of Offenders Act 1974 as amended, and excluding any offence for which the maximum sentence is a fine or a lesser sentence except where a person has been convicted of any offence which falls under section 72 of the Charities Act 1993
- included in the list kept by the Secretary of State under section 1 of the Protection of Children Act 1999; or is (b) disqualified from working with children in accordance with Section 35 of the Criminal Justice and Court Services Act 2000; or (c) barred from regulated activity relating to children (within the meaning of section 3(2) of the Safeguarding Vulnerable Groups Act 2006).

10.8 Where a person becomes disqualified from holding, or continuing to hold office as a local adviser; and she or he is, or is proposed, to become a LAB member, he or she shall upon becoming so disqualified give written notice of that fact to the Clerk.

10.9 The Trust Board will ensure that there is a system in place which ensures that all relevant checks, including an enhanced DBS check, are completed before a LAB member takes up position.

10.10 It is the duty of a new LAB member to ensure that he / she is familiar with the Objects of the Academy Trust; its history and ethos and the nature and extent of its activities; and the content of the Academy Trust's Articles of Association.

10.11 The Directors shall provide each new LAB member with:

- the Academy Trust's Articles of Association
- these terms of reference
- the scheme of delegation
- the Code of Conduct for Members of LABs
- the conflicts of interest policy
- all other relevant policies.

10.12 Members of LABs are required to sign the WAT Local Advisory Board Member Declaration within two weeks of appointment, and within two weeks of any agreed revised Declaration.

10.13 The Trust Board must be able to identify potential new members of the Local Advisory Board in order to ensure that the LAB has sufficient members and in order to plan for succession, combining continuity of experience and expertise with new ideas and energy. In normal circumstances, no LAB member should serve for longer than two terms of office and the chair is renewed at least every six years. Local Advisory Boards should aim to identify potential members of LABs through their engagement with parents and the wider local community, and encourage them to express an interest in joining the LAB.

## **11 Training and Development of Members of LABs**

11.1 The Trust shall ensure that the LAB has the skills and experience needed to perform its functions effectively. Members of LABs shall also be kept up to date with developments in the legal and regulatory framework in which the Academy Trust operates and shall make themselves available for training and briefing.

## **12 Stakeholders**

12.1 The LAB is expected to engage with its various local stakeholders and to put in place arrangements to receive feedback and to respond appropriately, providing advice the Trust Board as required. These stakeholders shall include:

- pupils
- parents
- staff
- the local community.

## **ANNEX 1 - PROGRAMME OF WORK OF THE LOCAL ADVISORY BOARD**

The programme of work of the LAB shall include the following:

### **1 Budgets and Finance**

#### **1.1 Purpose**

The LAB will have oversight of the academy's budget, helping to ensure that spending is in accordance with the budget agreed for the academy by the Trust Board, and that expenditure supports the best possible educational outcomes for the pupils at the academy.

#### **1.2 Policy**

The LAB may be consulted on the Trust's finance and audit policies, as indicated in the Trust's Scheme of Delegation.

The LAB shall oversee the implementation of all Trust policies on finance and audit.

#### **1.3 Budgets**

The LAB will be consulted on the Academy's plans for spending the budget (the 3-year Budget Plan and the 1 year budget plan), which will be developed in accordance with the Academies Financial Handbook and the School Development Plan by the Finance Director in discussion with CEO. These plans will be considered for approval by the Trust Board or Finance and Audit Committee, in accordance with the Scheme of Delegation.

The LAB shall:

- monitor expenditure of the Academy against the approved Budget Plan;
- receive any virements between Budget Plan headings
- enter into contracts within the financial limits published by the Trust Board from time to time [ WAT Financial Scheme of Delegation and WAT Financial Procedures] and within the Budget Plan;
- observe the policy on charging and remissions published by the Trust Board from time to time [WAT Charging and Remissions Policy];
- not agree to any expenditure outside of the approved Budget Plan without the approval of the Trust Board [WAT Financial Scheme of Delegation and WAT Financial Procedures].

In accordance with the WAT Scheme of Delegation, the LAB may propose to the relevant body expenditure on items not included in the current year's budget.

### **2 Staffing**

#### **2.1 Policy**

The LAB may be consulted on the Trust's staffing and personnel policies, as indicated in the Trust's Scheme of Delegation.

The LAB shall oversee the academy's implementation of Trust policies on staffing and personnel.

#### **2.2 Staff Appointments**

The Trust Board shall appoint the Headteacher of the Academy having regard to the Chair of the LAB who shall be invited to sit on any appointment panel.

The CEO shall appoint the Deputy Headteacher(s) and Assistant Headteacher(s) with advice from the LAB and Headteacher as indicated in the Scheme of Delegation.

### **2.3 Performance Review**

The performance review of the Headteacher shall be conducted by the CEO of WAT with advice from the Chair of the LAB, in accordance with the Scheme of Delegation and Trust's Performance Review Policy.

### **2.4 Disciplinary and Capability Procedures**

The LAB shall be informed promptly of any dismissal of academy teaching and support staff, and of any capability or disciplinary procedure or suspension of the Head teacher or any Deputy Headteacher.

## **3 Performance, Standards, Curriculum and Target Setting**

### **3.1 Policy**

The LAB may be consulted on the Trust's policies relating to performance, standards, curriculum and target setting, as indicated in the Trust's Scheme of Delegation.

The LAB shall oversee the implementation of all Trust policies on performance, standards, curriculum and target setting.

### **3.2 Performance**

In consultation with the LAB, Headteacher and the Performance and Standards Committee, the CEO shall refer proposed performance review (SEF) and proposed performance targets to the Trust Board for approval.

In consultation with the Headteacher, the LAB shall recommend both three year and one year development plans to the CEO for approval.

## **4 Admissions**

### **4.1 Policy**

The LAB may be consulted on the Trust's policies relating to admissions as indicated in the Trust's Scheme of Delegation.

The LAB shall oversee the implementation within the academy of Trust policies on admissions.

### **4.2 Implementation**

The LAB shall provide information on admission applications to enable the effective implementation of the co-ordinated admission arrangements. Decisions on the relative priority of admissions applications shall be made by the LAB in line with the Trust's Admissions Policies and procedures.

The LAB shall administer any independent admission appeals.

## **5 Structure and Opening Times**

### **5.1 Policy**

The LAB may be consulted on the Trust's policies and arrangements relating to academy opening times, term dates, expansion or reduction of Published Admission Number (PAN) as indicated in the Trust's Scheme of Delegation.

The LAB shall oversee the implementation in the academy of Trust policies on opening times, term dates, expansion or reduction of Published Admission Number (PAN).

## **5.2 Implementation**

Prior to any implementation of, or consultation on, a change to academy opening times, term dates, expansion or reduction of Published Admission Number (PAN) the LAB may make recommendations to the Trust Board for consideration of approval.

Prior to any application to the Education Funding Agency for implementation of, or consultation on, a change to the academy's age range or introduction of nursery provision, the LAB may make recommendations to the Trust Board for consideration of approval.

## **6 Safeguarding**

### **6.1 Policy**

The LAB may be consulted on the Trust's policies and arrangements for Safeguarding as indicated in the Trust's Scheme of Delegation.

### **6.2 Implementation**

The LAB shall oversee the implementation in the academy of Trust policies on Safeguarding.

The LAB shall ensure that the Academy has a Designated Officer and Deputy for Safeguarding and that their contact details are published on the School website. The LAB shall also ensure that the names and contact details of the Designated Officer and Deputy are sent to the Trust Board so that contact details may be published on the WAT website.

## **7 Pupil Exclusions**

The LAB shall consider any permanent exclusion proposed by the Headteacher with a view to approving or overturning it.

## **8 Health and Safety**

### **8.1 Policy**

The LAB may be consulted on the Trust's policies and arrangements for Health and Safety as indicated in the Trust's Scheme of Delegation.

### **8.2 Implementation**

The LAB shall ensure that the Academy implements and complies with the Health and Safety Policy published by the Trust Board from time to time [WAT Health and Safety Policy].

## **9. Stakeholder engagement**

The LAB shall engage appropriately with the Academy's key stakeholders.

## **ANNEX 2 – REPORTING REQUIREMENTS**

### **1 Reports to Trust Board within two weeks of each LAB Meeting:**

- 1.1 Agenda and draft minutes of the LAB meeting plus Headteacher's report and Dashboard. (Draft model Headteacher's report and Data Dashboard to be determined by the Directors/CEO);
- 1.3 Any issues to bring to the attention/for consideration by the Trust Board to enable it to discharge its responsibilities and accountabilities.

### **2 Annual Reports:**

- 2.1 Annual pupil outcome results against targets.
- 2.2 Academy three-year development plan (for approval by Trust Board)
- 2.3 Academy one year development plan (for approval by Trust Board).

## **ANNEX 3 - THE SEVEN PRINCIPLES OF PUBLIC LIFE SET OUT BY THE COMMITTEE ON STANDARDS IN PUBLIC LIFE ("THE NOLAN PRINCIPLES")**

### **1. Selflessness**

Holders of public office should act solely in terms of the public interest.

### **2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

### **3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### **5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **6. Honesty**

Holders of public office should be truthful.

### **7. Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.